



Town of Wilton, NH
Application to the Zoning Board of Adjustment
 (Revised January 2011)

General Information, Page 1 of 3

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TOWN OF WILTON NH

Property Information

Describe the lot involved in the application (the lot that you want to build a building on, subdivide, conduct a business or other activity on, etc.). If more than one lot is involved, then describe them all in this space if it is convenient, or attach additional copies of this page.

Tax Map and Lot Number J-001 Lot Size 0.10 ACRE

Street Address 94 DALE ST. WILTON, NH 03086

Zoning District (check one):

- Residential General Residence and Agricultural
- Commercial Industrial Office Park

Relevant Overlay Districts (check any that apply):

- Research and Office Park Floodplain Conservation Watershed
- Wetlands Conservation Aquifer Protection Elderly Housing

Owner

If the application involves multiple lots with different owners, attach additional copies of this page.

Name LAWRENCE C. MOQUIN

Mailing address P.O. Box 727

Mailing address _____

Town, State, ZIP WILTON, NH 03086

This application must be signed by the owners of all lots involved in the application.

I approve the submission of this application. If an applicant or representative is named on the next page, the person named there has my permission to represent me before the Wilton Zoning Board.

Signature Lawrence C. Moquin Date 10.6.2017

(continued on the next page)

clerk use only	
Date and time received: _____	
Received by: _____	Amount paid: _____
Case #: _____	<input type="checkbox"/> Abutter list and labels included



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Applicant

The applicant is the person who actually wants to build the building, conduct the business, etc. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

Same as owner

Name _____

Mailing address _____

Mailing address _____

Town, State, ZIP _____

Signature of Applicant or Owner

I certify that to the best of my knowledge and belief, all information provided in this application is accurate.

Signature Laurie C. Moynihan Date 10.6.2017

Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____

Mailing address _____

Mailing address _____

Town, State, ZIP _____

I authorize the above-named representative to submit this application and to speak before the Zoning Board on my behalf.

Signature of applicant or owner

Signature _____ Date _____

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Contact Information

How can we get in touch with the applicant or the applicant's representative, if there are questions about or problems with the application? Provide at least one of the following. If you provide more than one, please check your preferred form of contact.

This information is for: the applicant the representative.

Daytime phone 603 554-4716 Evening phone SAME

Work E-mail _____ Personal e-mail CRAZYHDBIKER@GMAIL.COM

Proposed Use

Explain what you want to do with the property. (Do you want to build a building, subdivide a lot, have a business, ...).

Explain why you need the Zoning Board to let you do it. (The building will be too close to the lot line; the Planning Board wouldn't approve your subdivision; your lot is in a zoning district where businesses aren't allowed; ...).

Be specific. Identify the section or sections of the Zoning Ordinance that apply. If lot sizes or configurations or building placements are relevant, provide a scale drawing or plan showing all relevant information, such as lot lines, setbacks, present and proposed structures on your lot and neighboring lots, etc.

Description of proposed use and need for ZBA approval (use this page; attach additional pages as necessary):

YARD EQUIPMENT STORAGE.
CORNER OF SHED IS WITHIN 15' SET BACK.



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Application for a Special Exception

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board. Most special exceptions have a list of requirements; the Zoning Board can only approve the special exception if it finds that all the requirements are satisfied.

Note that in addition to the specific requirements that may be listed for a particular special exception, all special exceptions are subject to the general requirements in Section 4.4 of the Zoning Ordinance.

What section of the Zoning Ordinance defines the Special Exception that you are applying for? 17.3 (6.2.4)

Explain why your proposed use satisfies the requirements of the Zoning Ordinance: THE ADDITIONS ARE LESS THAN 35 FT FROM PROPERTY LINE. 15 FT SETBACK WAS USED. ALL OTHER SETBACKS OF ORIGINAL BUILDING DO NOT COMPLY WITH 35 FT SETBACK. NO WET LANDS WILL BE EFFECTED. NO RADIO TOWERS IN AREA TO BE EFFECTED. ALL OTHER LOTS IN NEIGHBORHOOD ARE NOT IN COMPLIANCE OF SETBACK. NO MATTER WHERE ADDITIONS WERE PUT IT WOULD VIOLATE 35 FT SETBACK.



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Application for an Equitable Waiver, Page 1 of 2

When a lot or other division of land, or structure thereupon, is discovered to be in violation of a physical layout or dimensional requirement imposed by the Zoning Ordinance, the Zoning Board can grant an "Equitable Waiver" from the requirement. See RSA 674:33-a.

What requirement of the Zoning Ordinance is violated? 35 FT. RESIDENTIAL/AGRICULTURAL SETBACK 6.2.4

What section of the Zoning Ordinance is the requirement in? _____

It is your responsibility to prove each of the following facts to the Zoning Board. Please explain why you believe that each of the following statements is true. (Use additional sheets of paper if necessary.) See the note on "Burden of Proof" in the "General Information" section at the beginning of this application.

1. Either:

(a) The violation was not noticed or discovered by any owner, former owner, owner's agent or representative, or municipal official, until after a structure in violation had been substantially completed, or until after a lot or other division of land in violation had been subdivided by conveyance to a bona fide purchaser for value: ORIGINAL HOUSE BUILT 1890'S + SUBDIVISION OF LOTS ARE SMALL FOR AGRICULTURAL ZONING.
OTHER HOMES IN NEIGHBORHOOD ARE CLOSE TO LOT LINES.

and

(b) The violation was not an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or representative, but was instead caused by either a good faith error in measurement or calculation made by an owner or owner's agent, or by an error in ordinance interpretation or applicability made by a municipal official in the process of issuing a permit over which that official had authority: ADDITIONS DONE USING RESIDENTIAL SETBACK OF 15 FT
11 FT MEASUREMENT WAS NOT MEASURED UNTIL ADDITION WAS INSTALLED + SURVEY WAS DONE.

Or:

(c) The violation has existed for 10 years or more, and that no enforcement action, including written notice of violation, has been commenced against the violation during that time by the municipality or any person directly affected. _____

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2. The physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property.

MADE YARD MORE PRESENTABLE + HELPS PROPERTY VALUES
NO ONE WILL WANT TO USE AREA FOR ANYTHING BUT GRASS.

3. Due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

ADDITIONS ARE FINISHED AND BLEND IN WITH EXISTING
BUILD THERE FOR INCREASING COMMUNITY PROPERTY VALUES.



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Application for a Variance, Page 1 of 2

When, because of the specific characteristics of your property, the Zoning Ordinance unreasonably restricts your use of your property without a corresponding public benefit, the Zoning Board may grant a Variance, which modifies or sets aside particular requirements of the Ordinance.

The specific section of the Zoning Ordinance to be varied: 17.0

The requirement in that section that you want to change, and how you want it changed:

LOT LINE SETBACK 6.2.4

To grant a variance, the Zoning Board must decide that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true. (Use additional sheets of paper if necessary.)

1. Granting the variance would not be contrary to the public interest: SHEDS ARE SIDED TO MATCH BUILDING AND BLEND INTO BUILDING.

2. Granting the variance would be consistent with the spirit of the Ordinance: ALL OTHER SETBACKS ARE LESS THAN ORDINANCE. LOT IS NOT CONFORMING WITH PRE-EXISTING BUILDING

3. Granting the variance would do substantial justice: WOULD NOT HAVE TO RIP OFF NEW SHEDS OR OLD PARTS OF HOUSE TO CONFORM TO SETBACKS.

4. The proposed use will not diminish surrounding property values: YARD EQUIPMENT WILL BE STORED OUT OF PUBLIC VIEW.

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5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship.
Complete just one of sections 5(a), 5(b), or 5(c):

5(a) i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property:

ii. The proposed use is a reasonable one:

REAR ADDITION TAKES WATER AWAY FROM HOUSE SO WATER
DOES NOT FLOOD CELLAR ANY MORE. SIDE SHED COVERS
YARD EQUIPMENT FROM VIEW.

iii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

WATER RUNNING INTO CELLAR CAUSES HARD SHIP OF
BUILDING ROTTING + FALLING APART.

5(b) i. The property cannot be reasonably used in strict conformance with the ordinance:

THE LOT LAYOUT DOES NOT ALLOW FOR SHED WITHIN
PROPER SET BACKS

ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

OTHER HOMES IN NEIGHBORHOOD ARE NOT COMPLIANT TO
ORDENANCE + SHEDS ARE IN BAD SHAPE. THESE SHEDS
ARE INCORPORATED WITH BUILDING AND SIDED LIKE IT

5(c) **Hardship resulting from a physical disability.**

i. The variance is necessary to make reasonable accommodations to allow a person with a recognized physical disability to reside in or regularly use the premises:

ii. The variance is in harmony with the general purpose and intent of the zoning ordinance:

Wilton Manor 94 Dale St. Wilton, NH 03086 Abutter List

94 Dale St. Wilton, NH 03086

Ser.# 000045 Map/Lot# J-001
Deed Ref. 86231790 Date: 11/21/13
Owner: Lawrence C. Moquin 013480
Bill to: P.O. Box 727 Wilton, NH 03086-0727

92 Dale St. Wilton, NH 03086

Ser.# 000218 Map/Lot# J-002
Deed Ref. 79061279 Date: 09/28/07
Owner: Albert J. III & Erin M. Blais 012864
Bill to: 92 Dale St. Wilton, NH 03086

98 Dale St. Wilton, NH 03086

Ser.# 000457 Map/Lot# D-081
Deed Ref. Date:
Owner: Joyce Fisk 007010
Bill to: 98 Dale St. Wilton, NH 03086

99 Dale St. Wilton, NH 03086

Ser.# 000533 Map/Lot# D-082
Deed Ref. Date:
Owner: Darrell A. Fisk 003490
 Susan B. Fisk 003491
Bill to: 99 Dale St. Wilton, NH 03086

104 Dale St. Wilton, NH 03086

Ser.# 001618 Map/Lot# D-080
Deed Ref. 77950721 Date: 12/13/06
Owner: Kim D Fairbank, 007248
Bill to: 104 Dale St. Wilton, NH 03086

107 Dale St. Wilton, NH 03086

Ser.# 000402 Map/Lot# D-082-000005
Deed Ref. 78591956 Date: 06/12/07
Owner: Drohan Rev. Trust, 012860
Bill to: Nancy J. Drohan TTE,
 One Sprucewood Ave. Nashua, NH 03062

